

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FRANK E. ACIERNO,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 93-579-SLR
)	
NEW CASTLE COUNTY,)	
)	
Defendant.)	

MOTION FOR RETURN OF FUNDS

On February 17, 1994, funds representing a cost bond were posted in the above-captioned matter in the amount of \$1,000.00.

The above-mentioned funds have remained in the Court's registry since that time earning interest in the amount of \$292.77, bringing the current balance to the sum of \$1,292.77.

Counsel has been advised by Donna M. Seningen, Financial Administrator for the United States District Court, District of Delaware, that she has consulted with defense counsel and it is agreed that the above-mentioned sum belongs to the plaintiff, Frank E. Acierno.

Ms. Seningen, by letter dated June 12, 2007, has requested that a motion be filed with the Court so stating that the above-mentioned funds belong to the plaintiff, Frank E. Acierno. Counsel is further advised to submit a proposed order to the Court so that the funds may be withdrawn from the registry account.

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WHEREFORE, counsel respectfully requests that the Court sign the proposed order so that the funds may be returned to Frank E. Acierno.

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Date: June 19, 2007